

monthly basis, and file on a quarterly basis, information on all individuals and families participating in the WtW program.

(c) States must file the disaggregated information in the Emergency TANF Data Report (TANF-ACF-PI-97-6, issued September 30, 1997, OMB Number 0970-0164, expires September 30, 1998) and the WtW Data Report.

(d) Indian tribes must file the disaggregated information in the Interim Tribal TANF Data Report (ACF Form 343, issued May 6, 1998, OMB Number 0970-0176, expires December 31, 1998) and the WtW Data Report.

(e) The WtW Data Report consists of two sections:

(1) Section One consists of disaggregated data on individuals. It specifies identifying and demographic data, such as the individual's Social Security Number and information on employment and terminations. It also includes total dollar expenditures associated with an individual's participation in specified work activities.

(2) Section Two consists of aggregated data on families participating in the WtW program. This section also includes two items of expenditure data.

#### § 276.4 Must the data be filed electronically?

Each State and Indian tribe must file the information required in this part electronically, based on format specifications we will provide.

#### § 276.5 May States and Indian tribes use sampling?

(a) Each State and Indian tribe may report the disaggregated data on all WtW participants or on a sample of participants selected through the use of a scientifically acceptable sampling method that we have approved. States and Tribes may not use a sample to generate the aggregate data.

(b) "Scientifically acceptable sampling method" means a probability sampling method in which every sampling unit in the population has a known, non-zero chance to be included in the sample, and our sample size requirements are met.

### PARTS 282 [RESERVED]

## PART 283—IMPLEMENTATION OF SECTION 403(A)(2) OF THE SOCIAL SECURITY ACT BONUS TO REWARD DECREASE IN ILLEGITIMACY RATIO

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AUTHORITY: 42 U.S.C. 603.

SOURCE: 64 FR 18493, Apr. 14, 1999, unless otherwise noted.

#### § 283.1 What does this part cover?

This part explains how States may be considered for the "Bonus to Reward Decrease in Illegitimacy Ratio," as authorized by section 403(a)(2) of the Social Security Act. It describes the data on which we will base the bonus, how we will make the award, and how we will determine the amount of the award.

#### § 283.2 What definitions apply to this part?

The following definitions apply to this part:

*Abortions* means induced pregnancy terminations, including both medically and surgically induced pregnancy terminations. This term does not include spontaneous abortions, i.e., miscarriages.

*Act* means the Social Security Act.

*Bonus* refers to the Bonus to Reward Decrease in Illegitimacy Ratio, as set forth in section 403(a)(2) of the Act.

*Calculation period* refers to the four calendar years used for determining the decrease in the out-of-wedlock birth ratios for a bonus year. (The years included in the calculation period change from year to year.)

### § 283.3

*Most recent two-year period for which birth data are available* means the most recent two calendar years for which the National Center for Health Statistics has released final birth data by State.

*Most recent year for which abortion data are available* means the year that is two calendar years prior to the current calendar year. (For example, for eligibility determinations made during calendar year 1999, the most recent year for which abortion data are available would be calendar year 1997.)

NCHS means the National Center for Health Statistics, of the Centers for Disease Control and Prevention, U.S. Department of Health and Human Services.

*Number of out-of-wedlock births for the State* means the final number of births occurring outside of marriage to residents of the State, as reported in NCHS vital statistics data.

*Number of total births for the State* means the final total number of live births to residents of the State, as reported in NCHS vital statistics data.

*Rate of abortions* means the number of abortions reported by the State in the most recent year for which abortion data are available divided by the State's total number of resident live births reported in vital statistics for that same year. (This measure is also more traditionally known as the "abortion to live birth ratio.")

*Ratio* refers to the ratio of live out-of-wedlock births to total live births, as defined in § 283.5(b).

*State* means the 50 States of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the United States Virgin Islands, Guam, and American Samoa, as provided in section 419(a)(5) of the Act.

*Vital statistics data* means the data reported by State health departments to NCHS, through the Vital Statistics Cooperative Program (VSCP).

*We (and any other first person plural pronouns)* means the Secretary of Health and Human Services or any of the following individuals or organizations acting in an official capacity on the Secretary's behalf: the Assistant Secretary for Children and Families, the Regional Administrators for Children and Families, the Department of

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Health and Human Services, and the Administration for Children and Families.

#### § 283.3 What steps will we follow to award the bonus?

(a) For each of the fiscal years 1999 through 2002, we will:

(1) Based on the vital statistics data provided by NCHS as described in § 283.4, calculate the ratios for the most recent two years for which final birth data are available, and for the prior two years, as described in § 283.5;

(2) Calculate the proportionate change between these two ratios, as described in § 283.5.

(3) Identify as potentially eligible a maximum of eight States, i.e., Guam, the Virgin Islands, and American Samoa, and five other States, that have qualifying decreases in their ratios, using the methodology described in § 283.5;

(4) Notify these potentially eligible States that we will consider them for the bonus if they submit data on abortions as stated in § 283.6; and

(5) Identify which of the potentially eligible States that submitted the required data on abortions have experienced decreases in their rates of abortion relative to 1995, as described in § 283.7. These States will receive the bonus.

(b) We will determine the amount of the grant for each eligible State, based on the number of eligible States, and whether Guam, American Samoa, or the Virgin Islands are eligible. No State will receive a bonus award greater than \$25 million in any year.

#### § 283.4 If a State wants to be considered for bonus eligibility, what birth data must it submit?

(a) To be considered for a bonus, the State must have submitted data on out-of-wedlock births as follows:

(1) The State must have submitted to NCHS the final vital statistics data files for all births occurring in the State. These files must show, among other elements, the total number of live births and the total number of out-of-wedlock live births occurring in the State. These data must conform to the Vital Statistics Cooperative Program